

## **REMARKS**

This is in response to the Office Action of February 27, 2008. Claims 1-6 have been rejected under 35 U.S.C. 103(a) as unpatentable in view of the new references Belo (D518, 604) and Marshall (USP 373,297).

### **THE INVENTION**

The invention comprises a wig with hair sewn into a net and a metal Omega shaped element in the front part of the wig creating an opening through which one's hair is pulled to create a natural hairline. The metal element is embedded in fabric for engagement with hook and loop fasteners on a detachable wig portion or wiglet and provides structural stability for the wig. Alternatively, a detachable wig portion may be used which includes a substantially U-shaped plastic element having hook and loop fasteners on the upper portion thereof for attachment to the fabric on the stainless steel portion of the wig. Thus, the invention provides the user with the desired option of a natural look or the use of a detachable wig portion if it more appropriately suits the user's needs.

The Examiner states that Belo discloses a wig "comprising a main wig with a part (FIG. 1)". Actually, Bello discloses a wig with a rectangular opening on the side rather than a part. The reference is also said to disclose "a cap having hair mounted thereto". No cap is shown in this design patent nor is any center opening shown. There is no hint or suggestion that Belo is to be used in conjunction with a detachable wig patent.

The Examiner admits that "Belo fails to show a detachable wig portion mounted over the opening, wherein the detachable wig portion having Omega shape with a base and legs, a mesh covering between the legs and hair mounted thereto, hook and loop

fasteners mounted thereto to secure the wig portion”. These features are included in applicant’s claims but not in the Belo design. The Omega shaped element facilitates manufacture in this highly competitive field and provides structural stability.

The Belo design could not be applied to real products in the marketplace without the hard metal frame shown in the Omega part wig. The Belo wig is structurally unstable and difficult to wear without additional steps or supplemental accessories. The Omega wigs are ready to wear and the Belo design simply is not.

Marshall is said to disclose a detachable wig portion (FIGS. 1-3) comprising a U-metal shape (A) with a base and legs extending therefrom, a fabric cover (col. 1, lines 37-39). The Marshall patent 373,297 dates back to 1887 and is “intended for the front hair resting upon the upper part of the forehead known as “bangs”.” The patent does not disclose an Omega shaped element creating a part with natural hair. The skeleton foundation of Marshall is totally different in configuration and serves a different purpose.

The fabric cover in lines 37-39 relate to portions of the skeleton structure which cross each other (not so in the application) and are thin springs or strip of steel or other suitable material covered with cloth or tape. The skeleton is not Omega-shaped and the Omega shaped stainless steel element is enclosed in fabric specifically to prevent ripping when the wig portion 20 is removed. In FIG. 3 of Marshall, the particular skeleton is employed when it is desired to part the hair but a narrow piece of lace is applied at K to come beneath a parting of the hair and to which portions of the hair are attached. Marshall’s emphasis is on a honeycomb structure for a wiglet and there is no mention of an Omega shaped element or a detachable structure.

The Marshall patent does not show or suggest a detachable wig portion and neither does Belo. Specifically, Marshall does not show a detachable wig portion mounted over a part opening and affixed to a main wig portion to be removed permitting natural hair to extend therethrough creating a natural hairline. The combination of an 1887 patent with a design patent is an extremely questionable basis for a rejection.

Basically, the Office Action takes a design patent which merely shows what it shows and attempts to anticipate the invention with an inapplicable ancient patent for a “bangs” wiglet. Applicant’s claims are patentable over these inadequate references.

### **SUMMARY**

Claims 1, 3, 5-6 have been amended and Claim 2 has been cancelled. In light of the amendment, Claims 1, 3, 5-6 are believed patentable over the prior art for reasons stated in the Remarks. Reconsideration and allowance of this application is respectfully requested.

Dated: April 16, 2008

Respectfully submitted,  
**/Richard A. Joel/**  
RICHARD A. JOEL  
496 Kinderkamack Road  
Oradell, NJ 07649  
(201) 599-0588  
Reg. No. 22212